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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/600,534

06/23/2003

Joo-Yoen Lee

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EXAMINER

JONES, HEATHER RAE

ART UNIT

PAPER NUMBER

2621

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/600,534	<b>Applicant(s)</b> LEE, JOO-YOEN	
	<b>Examiner</b> HEATHER R. JONES	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-8,10-12 and 17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-8,10-12 and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 2, 2008 has been entered.

### ***Response to Arguments***

2. Applicant's arguments filed July 1, 2008 have been fully considered but they are not persuasive.

The Applicant argues that neither Shen et al. nor Ozkan et al. disclose that the program information comprises Program and System Information Protocol (PSIP) information in an Advanced Television Systems Committee (ATSC) standard format, and the converted program information comprises Program Specific Information in an Institute of Electrical and Electronics Engineers (IEEE) 1394 standard format. The Examiner respectfully disagrees. Ozkan et al. discloses in Fig. 12, steps 257 and 260 MGT and STT tables, which are part of the Program and System Information Protocol (PSIP). Furthermore, Ozkan et al. discloses in col. 3, lines 23-34 that the data structure elements may be conveyed in a format compatible with the PSIP standard. Ozkan et al. also discloses in col.

10, lines 49-55 creating any other associated extended tables that may be formed and incorporated in the program specific information in order to accommodate expanded numbers of channels. Therefore, Ozkan can include the necessary tables needed for the IEEE standard which is how the program information is transmitted in the Shen et al. reference. Therefore, the combination of Shen et al. in view of Ozkan et al. meets the claimed limitations and the rejection is maintained.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 4-8, 10-12, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shen et al. (U.S. Patent 6,741,292) and in view of Ozkan et al. (U.S. Patent 7,032,236).

Regarding claim 1, Shen et al. discloses a digital video receiver, which receives and decodes a broadcasting program, creates and transmits a predetermined type of data stream to a recording/reproducing apparatus connected to the digital video receiver through an interface (Fig. 3; col. 5, lines 41-53), the digital video receiver comprising: a program information converter operable to convert the program information included in the broadcasting

program into a format suitable for the recording/reproducing apparatus (Fig. 4; col. 5, lines 64-67 – the set top box does the signal processing unless the signal is sent from the digital VCR). However, Shen et al. fails to disclose the broadcasting program comprising program data, representing contents of the broadcast program, and program information; that the program information is decoded prior to the converting; and a stream generator operable to receive the converted program information and decoded program data included in the decoded broadcasting program data, and further operable to create the data stream with the converted program information and the decoded program data, wherein the program information comprises Program and System Information Protocol (PSIP) information in an Advanced Television Systems Committee (ATSC) standard format, and the converted program information comprises Program Specific Information in an Institute of Electrical and Electronics Engineers (IEEE) 1394 standard format, and wherein the program information converter comprises a table generator operable to create at least one new table in the suitable format using at least one of a plurality of tables associated with the program information.

Referring to the Ozkan et al. reference, Ozkan et al. discloses a system which receives and decodes a broadcasting program comprising program data, representing contents of the broadcasting program, and program information; creates and transmits a predetermined type of data stream to a recording/reproducing apparatus, the system comprising: a program information

converter operable to convert the program information included in the broadcasting program into a format suitable for the recording/reproducing apparatus, wherein the program information is decoded prior to the converting (Fig. 12 –step 250); and a stream generator operable to receive the converted program information and the decoded broadcasting program data, and further operable to create the data stream with the received information and data (Fig. 12 – generates control tables MGT, MDBT,CIT, STT, and TCIT and then formats the tables to create MPEG-2 PSI tables; Fig. 13), wherein the program information comprises Program and System Information Protocol (PSIP) information in an Advanced Television Systems Committee (ATSC) standard format, (Fig. 12 – steps 257 and 260 – MGT and STT tables are part of the PSIP), and wherein the program information converter comprises a table generator operable to create at least one new table in the suitable format using at least one of a plurality of tables associated with the program information (Ozkan et al.: Fig. 12 – steps 257, 260, and 263).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the receiver disclosed by Shen et al. and the idea of transmitting the program data with more than just video and audio data as disclosed by Ozkan et al. in order to provide the user all the information about the program they are receiving, for example, the description about the show. Furthermore, Shen et al. in view of Ozkan et al. discloses the converted program information comprises Program Specific

Information in an Institute of Electrical and Electronics Engineers (IEEE) 1394 standard format (Shen et al.: Fig. 3 – IEEE1394 standard; Ozkan et al.: col. 10, lines 49-55 - creating any other associated that may be formed and incorporated in the program specific information in order to accommodate expanded numbers of channels).

Regarding claim **2**, Shen et al. in view of Ozkan et al. discloses all the limitations as previously discussed with respect to claim 1 as well as the digital video receiver further comprises a program information analyzer operable to analyze the program information included in the data stream (Ozkan et al.: Fig. 12 - step 253 and 255).

Regarding claim **4**, Shen et al. in view of Ozkan et al. discloses all the limitations as previously discussed with respect to claim 1 including that the program information is the PSIP information and the broadcasting program is in the ATSC format, and wherein the PSIP complies with the ATSC standard and the converted program information comprises a selection information table (SIT) and a discontinuity information table (DIT) in accordance with the IEEE1394 standard (Shen et al.: Fig. 3 – IEEE1394 standard; Ozkan et al.: Fig. 12 – steps 257 and 260 – MGT and STT tables are part of the PSIP; col. 10, lines 49-55 - creating any other associated that may be formed and incorporated in the program specific information in order to accommodate expanded numbers of channels. Ozkan et al. also discloses the tables being processed for a specific transmission means, which would include creating the DIT information when

processing the information for using an IEEE1394 bus as the transmission means).

Regarding claim **5**, Shen et al. in view of Ozkan et al. discloses all the limitations as previously discussed with respect to claims 1 and 4 including that at least one of the SIT, the DIT, a program association table (PAT), and a program map table (PMT) is created using information contained in at least one of a Virtual Channel Table (VCT), Master Guide Table (MGT), System Time Table (STT), Event Information Table (EIT) and Extended Text Table (ETT) tables of the PSIP information, and wherein the PAT and PMT complies with an MPEG standard (Ozkan et al.: Fig. 12 – Steps 257, 260, and 263; col. 9, lines 55-64; col. 10, lines 28-38 – tables are formatted for a Moving Picture Experts Group (MPEG) standard, the tables listed are only a few of the tables created and all tables are created for that standard, which would include the PAT and PMT tables).

Regarding claim **6**, Shen et al. in view of Ozkan et al. discloses all the limitations as previously discussed with respect to claim 1 including that the interface is in accordance with the IEEE 1394 standard (Shen et al.: Fig. 3).

Regarding claims **7**, **8**, and **10-12**, these are method claims corresponding to the apparatus claims 1-6. Therefore, claims 7-12 are analyzed and rejected as previously discussed with respect to claims 1-6.

Regarding claim **17**, Shen et al. in view of Ozkan et al. discloses all the limitations as previously discussed with respect to claim 1 including that the



Art Unit: 2621

format compatible with the recording/reproducing apparatus is a Moving Picture Experts Group (MPEG)-2 format (Ozkan et al.: Fig. 12 - Steps 257, 260, and 263).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HEATHER R. JONES whose telephone number is (571)272-7368. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John W. Miller/  
Supervisory Patent Examiner, Art Unit 2623

Heather R Jones  
Examiner

Application/Control Number: 10/600,534  
Art Unit: 2621

Page 9

Art Unit 2621

HRJ  
September 27, 2008